IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ashkenazi et al.

Serial No.: Not yet assigned

Filed: Herewith

For: Secreted and Transmembrane
Polypeptides and Nucleic Acids
Encoding the Same

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

PRELIMINARY AMENDMENT

Assistant Commissioner of Patents Washington, D.C. 20231

Sir:

Prior to substantive examination of the above captioned patent application (which is filed herewith), and for calculation of the proper filing fee, Applicants respectfully request that the following amendments be entered.

In the claims:

Please cancel Claims 1-38 without prejudice or disclaimer.

Please add new Claims 39-44 as follows.

- --39. (New) An antibody that binds to the polypeptide shown in Figure 106 (SEQ ID NO:294).
 - 40. (New) The antibody of Claim 39 which is a monoclonal antibody.

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41. (New) The antibody of Claim 39 which is a humanized antibody.

42. (New) The antibody of Claim 39 which is an antibody fragment.

43. (New) The antibody of Claim 39 which is labeled.

44. (New) The antibody of Claim 39 which specifically binds to the polypeptide shown in Figure 106 (SEQ ID NO:294).--

Applicants respectfully request entry of these new claims for prosecution in this application. The Examiner is invited to contact the undersigned at (650) 225-4461 if any issues may be resolved in that manner.

Respectfully submitted,

GENENTECH, INC.

Mark T. Kresnak, Ph.D.

Reg. No. 42,767

Telephone: (650) 225-4461

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PATENT TRADEMARK OFFICE

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REQUEST TO USE COMPUTER READABLE FORM OF SEQUENCE LISTING FROM PARENT APPLICATION PURSUANT TO 37 C.F.R. § 1.821 (e)

Assistant Commissioner of Patents Washington, D.C. 20231

Sir:

The patent application filed herewith is a continuing application of currently pending application Serial No. 09/665,350, filed on September 18, 2000. The Sequence Listings in (a) the herewith filed patent application and (2) currently pending patent application Serial No. 09/665,350, filed on September 18, 2000, are identical. Therefore, pursuant to 37 C.F.R. § 1.821(e), Applicants respectfully request that the compliant computer readable form of the Sequence Listing filed on January 25, 2001 in parent application Serial No. 09/665,350 be used as the computer readable form for the herewith filed patent application. The paper copy of the Sequence Listing submitted herewith

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is identical to that on the compliant computer readable form of the Sequence Listing filed on January 25, 2001 in parent application Serial No. 09/665,350.

Respectfully submitted,

GENENTECH, INC.

Mark T. Kresnak, Ph.D.

Reg. No. 42,767

Telephone: (650) 225-4461

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